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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/718,610

11/24/2003

Jan Alfons Albert Bouwen

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EXAMINER

PASIA, REDENTOR M

ART UNIT

PAPER NUMBER

2616

MAIL DATE

DELIVERY MODE

06/15/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.		Applicant(s)	
	10/718,610		BOUWEN, JAN ALFONS ALBERT	
	Examiner		Art Unit	
	Redentor M. Pasia		2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/24/2003</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Drawings

The drawings are objected to because Figure 1 does not show the proper label name the element is referring to (instead it shows the reference numbers within the elements in the figures. Labels for the elements should be supplied within the elements and corresponding reference numbers should be marked along with the elements. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Cave et al. (US 2001/0005372 A1; hereinafter Cave).

As to claim 1, Cave shows a system for exchanging voice-packets via an Internet Protocol (Figure 3, 4a-d, 9-13, 14a-d) and comprising a first terminal for transmitting said voice-packets via a network to a second terminal for receiving said voice-packets which voice-packets form part of a call (Figure 4c; gateways 810 and 812 transmitting and receiving RTP calls.), characterized in that said network comprises a storage-station for storing information to be supplied during said call to said second terminal in the form of at least one data-packet via the Internet Protocol (Figure 11, VRU 800; Par. 0125); in response to at least one trigger-packet originating from said first terminal via the Internet Protocol (Par. 0126; in relation to figures 4c and 11, where gateway 810 connects to call control server of VRU 800 through an H.323 call over IP network 806).

As to claim 2, Cave shows that said voice-packets comprise at least audio (Figure 4C; 836, 838; RTP media streams over IP network 806), with said data-packet comprising at least video (Figure 11, 1193; Figure 4A, link 824 with RTP stream over IP network).

As to claim 3, Cave shows that said trigger-packet is sent from said first terminal to said storage-station (Figure 11, 1195; Figure 4A, link 820 with H.323 stream over IP network).

As to claim 4, Cave shows that said information comprises information-parts, with said trigger-packet comprising an indication for selecting at least one information-part to be supplied during said call to said second terminal (Par. 0125; shows that part or all of the call is to be recorded; col. 27, lines 11-15; shows that VRU 800 signals gateway 810, through signaling channel 1195 (related to Figure 4a, link 820), to replicate the media stream associated with telephone 814 and to direct it to VRU 800 through a link such as newly established link 1193.).

As to claim 5, Cave shows that said trigger-packet is sent from said first terminal to said second terminal, with said second terminal in response to said trigger-packet generating a further trigger-packet to be sent during said call to said storage-station via

the Internet Protocol (Figure 10 shows the bi-directional path 1095 and 1094 (in fig. 10). With respect to Figure 4C, with corresponding paths 820 and 828, and H.323 stream traverses this path from gateway 810 and 812 passing through CCS 802 of VRU 800.).

As to claim 6, Cave shows that said information comprises information-parts, with said trigger-packet and said further trigger-part comprising an indication for selecting at least one information-part to be supplied during said call to said second terminal (Par. 0125; shows that part or all of the call is to be recorded; Par. 0126; shows that VRU 800 signals gateway 810, through signaling channel 1195 (related to Figure 4C, link 820 and 828 where H.323 stream traverses bi-directionally), to replicate the media stream associated with telephone 814 and to direct it to VRU 800 through a link such as newly established link 1193.).

As to claim 7, Cave shows a first terminal (gateway 810) for exchanging voice-packets via an Internet Protocol (Figure 3, 4a-d, 9-13, 14a-d) and comprising a first terminal for transmitting said voice-packets via a network to a second terminal for receiving said voice-packets which voice-packets form part of a call (Figure 4c; gateways 810 and 812 transmitting and receiving RTP calls.), characterized in that said network comprises a storage-station for storing information to be supplied during said call to said second terminal in the form of at least one data-packet via the Internet Protocol (Figure 11, VRU 800; Par. 0125); in response to at least one trigger-packet

originating from said first terminal via the Internet Protocol (Par. 0126; in relation to figures 4c and 11, where gateway 810 connects to call control server of VRU 800 through an H.323 call over IP network 806).

As to claim 8, Cave shows a second terminal (gateway 812) for exchanging voice-packets via an Internet Protocol (Figure 3, 4a-d, 9-13, 14a-d) and comprising a first terminal for transmitting said voice-packets via a network to a second terminal for receiving said voice-packets which voice-packets form part of a call (Figure 4c; gateways 810 and 812 transmitting and receiving RTP calls.), characterized in that said network comprises a storage-station for storing information to be supplied during said call to said second terminal in the form of at least one data-packet via the Internet Protocol (Figure 11, VRU 800; Par. 0125); in response to at least one trigger-packet originating from said first terminal via the Internet Protocol (Par. 0126; in relation to figures 4c and 11, where gateway 810 connects to call control server of VRU 800 through an H.323 call over IP network 806).

As to claim 9, Cave shows a Storage-station (voice media servers 804) for exchanging voice-packets via an Internet Protocol (Figure 3, 4a-d, 9-13, 14a-d) and comprising a first terminal for transmitting said voice-packets via a network to a second terminal for receiving said voice-packets which voice-packets form part of a call (Figure 4c; gateways 810 and 812 transmitting and receiving RTP calls.), characterized in that

said network comprises a storage-station for storing information to be supplied during said call to said second terminal in the form of at least one data-packet via the Internet Protocol (Figure 11, VRU 800; Par. 0125); in response to at least one trigger-packet originating from said first terminal via the Internet Protocol (Par. 0126; in relation to figures 4c and 11, where gateway 810 connects to call control server of VRU 800 through an H.323 call over IP network 806).

As to claim 10, Cave shows a method for exchanging voice-packets via an Internet Protocol (Figure 3, 4a-d, 9-13, 14a-d) and comprising a first terminal for transmitting said voice-packets via a network to a second terminal for receiving said voice-packets which voice-packets form part of a call (Figure 4c; gateways 810 and 812 transmitting and receiving RTP calls.), characterized in that said network comprises a storage-station for storing information to be supplied during said call to said second terminal in the form of at least one data-packet via the Internet Protocol (Figure 11, VRU 800; Par. 0125); in response to at least one trigger-packet originating from said first terminal via the Internet Protocol (Par. 0126; in relation to figures 4c and 11, where gateway 810 connects to call control server of VRU 800 through an H.323 call over IP network 806).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Girard (US 2002/01764040) – note abstract;

Higuchi (US 7061903) – note abstract.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Redentor M. Pasia whose telephone number is 571-272-9745. The examiner can normally be reached on M-F 7:30am to 5:00pm EST, alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris H. To can be reached on (571)272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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